

REMARKS/ARGUMENTS

Claims 1, 4-21 and 98-101 were pending. Claims 1, 4-21 and 100 were rejected. Claims 98-100 were withdrawn pursuant to a Restriction Requirement. The claims have been amended and cancelled as noted above. Reexamination and reconsideration of the claims, as amended, are respectfully requested.

Applicants acknowledge the further Restriction Requirement and note that the newly restricted claims 98-100 have been cancelled without prejudice to filing in a subsequent divisional application.

Claims 1, 4, 6-8, 10, 11 and 15, were rejected as being anticipated by the McDermott et al. '462 patent. Such rejections are traversed in part and overcome in part.

The Examiner asserts that McDermott et al. '462 illustrates a double walled anchor having "a primary fluid conduit" and "lateral fluid conduits 16, 18 that can be construed to extend in opposite lateral directions." Applicants respectfully disagree with this characterization.

Figure 2 of McDermott et al. '462, relied on in the rejection, illustrates a bifurcated catheter having a main body upper portion (not numbered) and two "tubes 36" for deployment in the iliac arteries 38. This structure cannot be construed as defining a primary fluid conduit extending through the anchor, since the lumen in the upper portion terminates at the bifurcation and does not extend through the device. Second, the tubes 36 are clearly aligned axially, not disposed laterally as required by independent claim 1 herein. While some outward deflection of the legs would of course be possible, if the legs were truly extended laterally, it is very likely the attachment points with the main body of the stent would be pinched off and prevent flow.

In order to expedite prosecution of the present application, however, Applicants have amended independent claim 1 to clarify that the primary fluid conduit "has an inlet end and

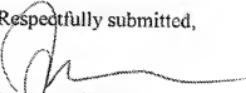
an outlet end to permit flow therethrough." Claim 1 is further amended to specify that the first and second arms join the primary fluid conduit "between the inlet and outlet ends." Thus, claim 1 now explicitly requires that the claimed anchor have not only the primary lumen which extends from inlet to outlet ends, but also the first and second arms which extend laterally from the primary fluid conduit.

Such a "four-armed" structure is neither taught nor suggested in the McDermott et al. '462 patent where the main upper body of the prosthesis might be assumed to define a primary lumen, but where the primary lumen terminates in the iliac tubes. Thus, there is no primary lumen having an inlet and an outlet end with two additional arms formed in a lateral direction.

In view of the above amendments and remarks, Applicants believe that the rejection of claim 1 as being anticipated by McDermott et al. '462 has clearly been overcome. As all remaining claims are dependent on claim 1, which is now allowable, it is believed that the dependent claims are allowable as well, and request that the application be passed to issue at an early date.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


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